

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*,

Defendants.

Case No. C06-5127 RJB/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR SUBPOENA DUCES
TECUM

Before the Court is Plaintiff's motion for subpoenas duces tecum to take depositions of two eyewitnesses. (Dkt. # 157). After careful review of Plaintiff's motion, Defendants' response (Dkt. # 161), this Court's previous Orders relating to discovery in this matter, and the balance of the record, the Court finds that the motion shall be denied.

I. DISCUSSION

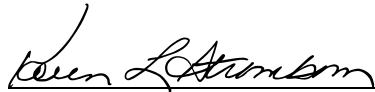
Plaintiff requests that the Court issue subpoenas duces tecum to his "requested eye witnesses," John Sherrill and Charles Lidge. (Dkt. # 157). Plaintiff previously filed a motion to take the depositions of unnamed eyewitnesses. (Dkt. # 146). That motion was denied on August 13, 2007. (Dkt. # 151). The Court granted Plaintiff's motion to extend the discovery deadline, but

1 for the purpose of deposing Defendant Waddington only. (*Id.*). On the same day, the Court issued
2 a Third Amended Pretrial Order with new deadlines. (Dkt. # 153).

3 Also on the same day, Plaintiff filed a Notice to Take the Deposition of John Sherrill and
4 Charles Lidge (Dkt. # 155) and this motion. The Court denied Plaintiff's motion for
5 reconsideration of its denial of his motion to take additional depositions on September 4, 2007.
6 (Dkt. # 166).

7 Accordingly, Plaintiff's motion for the issuance of subpoenas duces tecum (Dkt. # 157) is
8 **DENIED.**

9
10 DATED this 7th day of September, 2007.

11
12 

13 Karen L. Strombom
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25